

SENATE BILL 2422

By Kilby

AN ACT to amend Tennessee Code Annotated, Title 29,
relative to eminent domain.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 29, Chapter 17, is amended by adding
the following new part 13:

Section 29-17-1301. It is the intent of the general assembly that private property
rights of Tennessee residents and businesses be protected over the interests of private
developers and corporations.

Section 29-17-1302.

(a) With respect to the exercise of eminent domain, a public purpose shall
not include the use of eminent domain solely or principally for the purpose of
improving tax revenue or the tax base, or for the purpose of economic
development. The public purpose requirements of eminent domain shall not
include the condemnation of properties of Tennessee residents and businesses
for the purpose of transferring or leasing of such properties to a private
developer, corporation, or other non-governmental entity solely or principally for
the expansion of tax revenue, increase in the taxable value of such property, or
the promotion of economic development.

(b) Public purposes for eminent domain shall include but not be limited to:

(1) Public buildings and grounds for the use of the state of
Tennessee;

(2) Public buildings and grounds for the use of any county or city;

(3) Wharves, docks, piers and bridges;

- (4) Reservoirs, dams, canals, aqueducts and pipes;
- (5) Roads, railroads, and tunnels;
- (6) Telegraph, telephone, electric light and electric power lines,
and sites for electric light and power plants;
- (7) Sewerage facilities;
- (8) Cemeteries and public parks; and
- (9) Any other purpose which benefits the public welfare.

SECTION 2. This act shall take effect July 1, 2006, the public welfare requiring it.